Supreme Court, U.S.
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No. 97-369

In The

Supreme Court of the United States

October Term, 1996

COALITION FOR ECONOMIC EQUITY, ET AL.,

Petitioners,

v.

PETE WILSON, ET AL.,

Respondents.

On Petition For Writ Of Certiorari To The United States Court Of Appeals For The Ninth Circuit

RESPONSE OF DELAINE EASTIN IN SUPPORT OF PETITION OF COALITION FOR ECONOMIC EQUITY, ET AL.

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September 18, 1997

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Defendant-respondent Delaine Eastin, California Superintendent of Public Instruction, in her official capacity, hereby supports the petition of plaintiffs-petitioners, Coalition for Economic Equity, et al., for writ of certiorari.

Defendant-respondent Eastin takes no position on the merits of the case. Defendant-respondent Eastin's support of the plaintiffs-petitioners is based upon the importance of existing important public education programs in kindergarten through twelfth grade that will be eliminated or modified as a result of Proposition 209. The issues raised by petitioners are of exceptional importance to public education in the State of California. The over one thousand school districts and all county offices of education in California have programs established and funded by the legislature targeting racial minorities and girls. School districts have been operating programs targeting racial minorities for years; some programs, such as the voluntary desegregation programs, have been in operation for over a decade. The state legislature continued to fund programs targeting racial minorities and girls for the 1997-98 school year in this year's budget signed by the Governor. Programs targeting racial minorities, including programs designed to eliminate the effects of racial segregation, will be required to be modified or eliminated as a result of Proposition 209.

Education is a fundamental right in California. Racial minorities were the victims of segregation in public education in California. Educational programs designed to eliminate the effects of segregation by targeting racial minorities will likely be eliminated as a result of Proposition 209. The issue of whether a state can eliminate all public education programs targeting racial minorities,

including programs designed to eliminate the effects of segregation, is one of exceptional importance. Superintendent Delaine Eastin urges this court to grant the petition for writ of certiorari.

Respectfully submitted,

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